



McDonnell Boehnen Hulbert & Berghoff  
Law Offices

## Fax transmittal

To	Examiner J. Woodrow Eldred	Date	August 18, 2003
Company	U.S. Patent and Trademark Office	From	Edward K. Runyan
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Re	Response to Office Action Mailed May 19, 2003		

09/09/03

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PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE  
(Honeywell No. H0003115; MBHB Case No. 01-1260-A)

In the Application of:

James P. Conner

Serial No. 09/995,120

Filed: November 27, 2001

For: Emergency Flight Control System

Examiner: J. Woodrow Eldred

Art Unit: 3644

Commissioner for Patents  
Washington, D.C. 20231

Attn: Examiner J. Woodrow Eldred

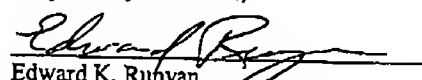
Fax No. (703) 306-4195

No. of Pages: 2 (Including Transmittal Letter)

## FACSIMILE TRANSMITTAL LETTER

1. We are transmitting herewith the attached papers for the above-identified patent application:  
☒ Response to Official Action Mailed May 19, 2003.
2. **GENERAL AUTHORIZATION TO CHARGE OR CREDIT FEES:** Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.
3. **CERTIFICATE OF MAILING UNDER 37 CFR § 1.8:** I hereby certify that I directed that this Transmittal Letter and the correspondence identified above be facsimile transmitted to the Patent and Trademark Office (Fax No. (703) 306-4195) on the dated indicated below.

Respectfully submitted,

  
Edward K. Ruhyan  
Registration No. 43,067

Date: August 18, 2003

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UNITED STATES PATENT AND TRADEMARK OFFICE  
(Honeywell No. H0003115)

PATENT

127

Response  
E. Burns  
08/19/03

In the Application of:

James P. Conner

Serial No. 09/995,120

Filed: November 27, 2001

For: Emergency Flight Control System

Examiner: J. Woodrow Eldred

Art Unit: 3644

Commissioner for Patents  
PO Box 1450, Alexandria  
Virginia 22313-1450

## RESPONSE TO OFFICE ACTION MAILED MAY 19, 2003

Dear Sir:

In response to the Office Action dated May 19, 2003, please consider the following remarks.

## REMARKS

In the Office Action dated May 19, 2003, the Examiner rejected pending claims 1-11 and 13-21 under 35 U.S.C. §102(b) as being "clearly anticipated" by either one of U.S. Patent No. 5,531,402 (Dahl) or FR 2,584,842 (Borthayre).

For the reasons set forth below, Applicant traverses these rejections and respectfully requests reconsideration.

*Response to Rejection under 35 U.S.C. §102(b) (Dahl)*

The Examiner rejected pending claims 1-11 and 13-21 under 35 U.S.C. §102(b) as being "clearly anticipated" by Dahl, "especially column 8, lines 29-40." According to MPEP §2131, in order to establish a *prima facie* case of anticipation, the cited reference must disclose every element